

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)	<u>Filed Under Seal</u>
)	
)	No. 2:19-cr-00013
v.)	
)	Chief Judge Crenshaw
)	
GEORGIANNA A.M. GIAMPIETRO)	

**GOVERNMENT’S MOTION FOR APPOINTMENT
OF A CLASSIFIED INFORMATION SECURITY OFFICER
PURSUANT TO 18 U.S.C. APP. III (CIPA) SECTION 9**

The United States, through its attorney, the United States Attorney for the Middle District of Tennessee, and the Counterterrorism Section of the National Security Division, U.S. Department of Justice, hereby requests that the Court designate a Classified Information Security Officer (“CISO”), pursuant to Section 2 of the Revised Security Procedures established under Pub. L. 96-456, 94 Stat. 2025 by the Chief Justice of the United States and promulgated pursuant to Section 9 of the Classified Information Procedures Act, (“CIPA”), 18 U.S.C. App. III (1980). In support of this Motion, the United States relies on the following points and authorities:

The defendant has been charged with attempting to provide material support or resources to a designated foreign terrorist organization, in violation of Title 18, United States Code, Section 2339B, in connection with her attempt to provide material support, namely, personnel, to Hay’at Tahir al-Sham, also known as “HTS.” Anticipating that issues relating to discovery, disclosure or use of classified information may arise during this case, on October 15, 2019, the government filed a Motion for a Pretrial Conference Pursuant to Section 2 of CIPA to discuss such issues and to provide the Court and defense counsel with an initial overview of CIPA.

Section 2 of the Revised Security Procedures established under Pub. L. 96-456 by the Chief Justice of the United States provides:

In any proceeding in a criminal case or appeal therefrom in which classified information is within, or is reasonably expected to be within, the custody of the court, the court will designate a “classified information security officer.” The Attorney General or the Department of Justice Security Officer will recommend to the court a person qualified to serve as a classified information security officer. This individual will be selected from the Litigation Security Group, Security and Emergency Planning Staff, Department of Justice, to be detailed to the court to serve in a neutral capacity.

Revised Security Procedures established under Pub. L. 96-456, 94 Stat. 2025 § 2.

Classified Information Security Officers are responsible for the security of all classified information in the Court’s custody and assist the Court with obtaining appropriate security clearances for Court staff. They also assist the Court in the handling and storage of any classified materials, including any pleadings or other filings related to CIPA proceedings in the case. If it becomes necessary for defense counsel or others associated with the case to obtain a security clearance, the CISO designated by the Court will be responsible for submitting applications to obtain appropriate security clearances for these individuals as well.

The government recommends that the Court designate Carli V. Rodriguez-Feo as the CISO for this case to perform the duties and responsibilities prescribed for CISOs in the Security Procedures promulgated by the Chief Justice. Ms. Rodriguez-Feo is an employee of the Litigation Security Group of the United States Department of Justice with demonstrated competence in security matters. Ms. Rodriguez-Feo has served as a CISO in other matters around the country.

The United States further requests that the Court designate the following persons as Alternate CISOs to serve in the event that Ms. Rodriguez-Feo is unavailable: Debra M. Guerrero-Randall, Daniel O. Hartenstine, Joan B. Kennedy, Matthew W. Mullery, Maura L.

Peterson, Harry J. Rucker and Winfield S. Slade. These alternate CISOs are also employees of the Litigation Security Group of the Department of Justice, hold appropriate security clearances, and are experienced in handling a broad array of security matters.

WHEREFORE, the United States respectfully requests that the Court grant this motion and appoint a CISO and Alternate CISOs in this case.

Respectfully submitted,

DONALD Q. COCHRAN
United States Attorney
Middle District of Tennessee

By: s/Ben Schrader
BEN SCHRADER
Assistant U.S. Attorney
110th Avenue South, A961
Nashville, Tennessee 37203
Phone: (615) 736-5151

By: s/Philip Wehby
PHILIP WEHBY
Assistant U.S. Attorney
110th Avenue South, A961
Nashville, Tennessee 37203
Phone: (615) 736-5151

By: s/Jennifer Levy
JENNIFER LEVY
Trial Attorney
Counterterrorism Section
U.S. Department of Justice
950 Pennsylvania Avenue, N.W., Suite 7600
Washington, D.C. 20530
Phone: (202) 514-1092

Dated: October 15, 2019

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2019 I electronically served one copy of the government's Motion for Appointment of a Classified Information Security Officer with the Clerk of the Court by using the CM/ECF system, which will send a Notice of Electronic Filing to counsel for defendant.

s/Ben Schrader
BEN SCHRADER
Assistant U.S. Attorney
110th Avenue South, A961
Nashville, Tennessee 37203
Phone: (615) 736-5151